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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/600,931	07/21/2000	KOJI YAMAMOTO	362-43PCT/U	2670

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EXAMINER

LEE, EUGENE

ART UNIT	PAPER NUMBER
2815	

DATE MAILED: 05/21/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.	09/600,931	Applicant(s)	YAMAMOTO ET AL
Examiner	Eugene Lee	Art Unit	2815

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 24 February 2003.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213

Disposition of Claims

4) Claim(s) 1-6,8-13 and 15-18 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-6,8-13 and 15-18 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413) Paper No(s). _____

2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) Notice of Informal Patent Application (PTO-152)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 thru 6, 8 thru 13, and 15 thru 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jain '423 in view of Shiue et al. '088. Jain discloses (see, for example, FIG. 13) a damascene interconnection comprising a conductor-filled trench (interconnection trench) 64 and insulating pillars (protrusions) 50. FIG. 10 shows a plan view of a pillared landing pad (pad trench) 55 where multiple protrusions are dispersed throughout.

FIG. 6 shows the damascene interconnection formed by a patterned insulating layer 22 over a substrate 20. Conducting segments (conductive film) 32, 44 and 46 lie between insulating pillars 38. In column 5, lines 34-45, Jain states that the incorporation of insulating pillars divides a wider conductor and, hence, minimizes dishing.

Jain does not disclose a contact hole formed within said pad trench to electrically connect said conductive film to a further conductive film formed below said insulating film, wherein said contact hole and said further conductive film substantially suppress an increase in electrical resistance in said pad trench due to formation of said protrusion. However, Shiue shows (see, for example, FIG. 3) a bond pad structure comprising a third metal pad 30, second via plugs (contact hole) 36, and a second metal pad (further conductive film) 32. The third metal pad is connected to the second metal pad through the second via plugs. In the abstract, Shiue teaches that reliable

interconnections are provided between the bond pad structure and the next level of integration. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include these second via plugs and second metal pad in Jain's invention in order to connect the conducting segments of Jain's invention to a further integration within the substrate.

Regarding the limitation "substantially suppress an increase in electrical resistance in said pad trench due to formation of said protrusion", it has been held that a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations.

Regarding claims 4 and 11, see FIG. 3 and element 38. Also, in column 6, lines 45-53, Jain states that many other insulating patterns may be construed that produce the same effect (i.e. reducing dishing by the narrowing of wide trenches).

Response to Arguments

3. Applicant's arguments filed 2/24/03 have been fully considered but they are not persuasive.

Regarding applicant's argument on page 4 that Shiue merely discloses vias or plugs, and that increased resistivity of a pillared landing pad was never considered by Jain or Shiue, this argument is found not persuasive. Examiner concurs that Jain or Shiue never considers the increased resistivity of a pillared landing pad, however, the fact that Applicant uses the further conductive film for a different purpose does not alter the conclusion that its use in a prior art device would be *prima facie* obvious from the purpose disclosed in the reference. In addition, it has been held that a recitation with respect to the manner in which a claimed apparatus is

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intended to be employed does **not** differentiate the claimed apparatus from a prior art apparatus satisfying the claimed **structural** limitations. Therefore, whether Shiue has a different reason for the bond pad structure, this reason does not differentiate the claimed structural limitations from the embodiment of Jain in view of Shiue.

The motivation for combining Jain and Shiue was the easy fact that pads in semiconductor devices may be connected together to form further integration. It is not germane whether Shiue addresses the increased electrical resistivity of a pillared landing pad since such a disclosure would not affect the claimed structural limitations. Therefore, even though Shiue does not state the purpose of the second metal pad as being the same as the applicant's invention, it is the structure which defines whether an invention is patentable or not, not the purpose.

Regarding new claims 17 and 18, the Jain patent does not show a lower conductive film, however, Jain in view of Shiue does. As stated in the 103 rejection above, Shiue shows a second metal pad (lower conductive film) 32 as part of a larger bonding pad structure. The larger bonding pad structure is necessary in order to have multiple levels of integration in an integrated circuit element. Also, in column 1, lines 52-61, Shiue states that such a bonding pad structure provides adequate tensile strength and prevents bond pad peeling and cracking. Therefore, the combination of Jain in view of Shiue clearly show a lower conductive film.

Regarding the applicant's argument on the last page, first line that via 58 is not positioned near one of a plurality of island protrusions 50, the Examiner respectfully disagrees. Looking at FIG. 13, Jain clearly shows the via 58 "near" one of a plurality of island protrusion 50 as stated in claims 17, 18.

Again, regarding the electrical resistance of the three metal layers, or the effects thereon, this is functional language and does not structurally differentiate Jain in view of Shiue from the applicant's invention.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

INFORMATION ON HOW TO CONTACT THE USPTO

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eugene Lee whose telephone number is 703-305-5695. The examiner can normally be reached on M-F 8-5.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eddie C. Lee can be reached on 703-308-1690. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7722 for regular communications and 703-308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

Eugene Lee
May 17, 2003



EDDIE LEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800